

REMARKS/ARGUMENTS

Claims 1-27 are pending in the present application. With this amendment, claims 1, 6, 9, 10, 15, 18, 19, 24, and 27 have been amended, and claims 5, 14, and 23 have been canceled. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 112, Second Paragraph

The examiner has rejected claims 1, 10, and 19 under 35 U.S.C. § 112, second paragraph, for lack of antecedent basis. Specifically, the examiner stated that "the limitation 'said service partition system' and 'said computer system' in Claims 1, 10, and 19, third limitation '...in response to an absence of said...' and in the preamble."

Applicants understand the examiner to be rejecting claims 1, 10, and 19 because of the phrases "said service partition system", "said computer system", and "in response to an absence of said". Applicants have amended claims 1, 10, and 19 to correct typographical errors so that "said service partition system" now reads "said service partition" and so that "said computer system" now reads "said logically partitioned computer system".

Regarding the phrase "in response to an absence of said" in the third limitation, Applicants believe sufficient antecedent basis exists. Applicants claim "...an absence of said service application". A first instance of "said service application" is claimed in the preamble, which states "a service application being executable by said hardware management console". Therefore, there is sufficient antecedent basis for the phrase "said service application".

The first instance of "an absence" appears in the third limitation of these claims in the phrase referred to by the examiner. Because "an absence" is a first instance, there is no lack of antecedent basis.

The rejection of claims 1, 10, and 19 has been overcome by the correction of typographical errors in these claims. Further, there is no lack of antecedent basis for the phrase "an absence" since this is the first instance of the absence.

The examiner has rejected claims 5, 14, and 23 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the examiner referred to the phrase "during a particular period of time". These claims have been canceled; therefore this rejection should be withdrawn.

Therefore the rejection of claims 1, 5, 10, 14, 19, and 23 under 35 U.S.C. § 112, second paragraph has been overcome.

II. 35 U.S.C. § 103, Obviousness

The examiner has rejected claims 1-27 under 35 U.S.C. § 103(a) as being unpatentable over Applicant Admitted Prior Art [hereinafter *AAPA*] in view of U.S. Patent Application Publication 2002/0021671 published by *Quinlan*. This rejection is respectfully traversed.

The Examiner asserts that *AAPA*, on page 2, teaches monitoring, by said service processor, a presence of said service application executing on said hardware management console. Applicants disagree.

Applicants' specification, on page 2, lines 1-12, teaches:

"The hardware management console may also be used to monitor and report errors that may occur in one of the partitions. A service application may be executed by the hardware management console which receives notification of errors from the various operating system partitions of the logically partitioned computer system. The service application is responsible for consolidating the errors, attempting to evaluate the errors, and making a minimum required number of service calls. Thus, in order to perform these functions, the hardware management console must be connected to the logically partitioned computer system and functioning properly." Emphasis added.

Applicants' specification, on page 3, lines 8-23, teaches:

"A problem can occur on these types of data processing systems, however, when the service application is not responding. The service application may not be responding because the hardware management console has been disconnected from the logically partitioned computer system, a communication link between the hardware management console and the logically partitioned computer system is lost or not operating properly, or the service application is not executing properly. In these data processing systems, it is the responsibility of the service application executing on the hardware management console to call for service and report the errors. When the service application is not responding for one of the reasons given above, the service application cannot place service calls for the logically partitioned computer system." Emphasis added.

As noted above, Applicants have described the service application performing certain functions. Applicants' independent claims describe a service processor performing the function of monitoring. Applicants further claim the service processor monitoring the presence of the service application. Nowhere in the specification do Applicants describe the service processor monitoring the presence of the service application. Therefore, *AAPA* does not describe, teach, or suggest monitoring, by the service processor, a presence of the service application executing on the hardware management console.

The Examiner relies on *Quinlan* to cure the deficiencies of *AAPA*, but the Examiner does not rely on *Quinlan* to teach monitoring, by a service processor, a presence of the service application executing on the hardware management console. Indeed, *Quinlan* does not teach monitoring, by a service processor, a presence of the service application executing on the hardware management console. *Quinlan* does not

teach a logically partitioned computer system. *Quinlan* does not teach a logically partitioned computer system that includes a service partition and a service processor. Therefore, *Quinlan* does not teach a service processor monitoring a presence of a service application.

The Examiner states that "*AAPA* does not expressly indicate the response to an absence of service application to system administrator of said service partition". The Examiner states that "*Quinlan* disclosed response to an absence of service application to system administrator of said service partition (there must be an user/administrator at the end to device B to response to the error message, refer to 0051-0057)." See the Office Action, mailed January 30, 2006, page 3.

Applicants disagree that *Quinlan* teaches in response to an absence of the service application, reporting, using the service partition, the absence of the service application to a system administrator of the service partition.

As discussed above, *Quinlan* does not teach either a service partition, which is included within a logically partitioned computer system, or a service application, which is also included within a logically partitioned computer system.

Quinlan teaches a method of detecting a network link failure. This failure may be the result of a lack of synchronization between two devices, an incompatibility of the link protocols used by the two devices, or a problem with the link itself. It is a method of diagnosing the failure of the connection between two devices. The method comprises connecting the two devices together using a link. *Quinlan* describes a device B including registers that store information about a failure of the link between device B and another device to which device B is attached, such as device A.

Applicants claim monitoring a presence of a service application that is executing on the hardware management console. Applicants do not claim monitoring the presence of the hardware management console itself, but rather monitoring the presence of an application that is executing on the console.

As discussed above, *AAPA* does not teach monitoring, by the service processor, a presence of the service application executing on the hardware management console. *Quinlan* does not cure the deficiencies of *AAPA* because *Quinlan* does not teach monitoring, by a service processor, a presence of a service application executing on a hardware management console.

Quinlan does not describe monitoring a presence of an application that is executing on a device such as device A. *Quinlan* diagnoses a failure of the link between connected devices but is silent about applications that might be executing on one of the devices. Thus, *Quinlan* does not teach monitoring a presence of an application that might be executing on a device.

Applicants' claims describe the monitoring being performed by a service processor that is included within a logically partitioned computer system. *Quinlan* does not cure the deficiencies of *AAPA*

because *Quinlan* does not teach a service processor monitoring a presence of a service application that is executing on a hardware management console.

The Examiner states that *AAPA* does not teach in response to an absence of the service application, reporting, utilizing the service partition, the absence of the service application to a system administrator of the service partition. The Examiner relies on *Quinlan* to cure the deficiencies of *AAPA*.

Quinlan does not cure the deficiencies of *AAPA*, however, because *Quinlan* does not teach (1) a service partition, (2) utilizing a service partition to report any type of information, (3) utilizing a service partition to report an absence of a service application, or (4) utilizing a service partition to report an absence of a service application to a system administrator of the service partition.

The Examiner does not refer to any part of either *AAPA* or *Quinlan* that supposedly teaches (1) a service partition, (2) utilizing a service partition reporting any type of information, or (3) utilizing a service partition to report an absence of a service application. Therefore, the combination of *AAPA* and *Quinlan* does not teach (1) a service partition, (2) utilizing a service partition to report any type of information, or (3) utilizing a service partition to report an absence of a service application. Because the combination of *AAPA* and *Quinlan* does not describe, teach, or suggest the combination of features claimed by Applicants, the combination does not render Applicants' claims obvious.

Further, the Examiner states merely that *Quinlan* must teach reporting to a system administrator because there must be a user/administrator to respond to an error message. The Examiner does not assert that *Quinlan* teaches this feature; the Examiner just concludes that someone must exist who will respond to the error message. Applicants disagree that there must be an administrator who will respond to the error message. *Quinlan* does not teach reporting an absence to a system administrator.

Further, Applicants do not claim reporting an absence to a system administrator. Applicants claim reporting an absence to a particular system administrator. Applicants claim reporting an absence to a system administrator of the service partition. *Quinlan* does not teach reporting an absence to a system administrator of a service partition. Therefore, the combination of *AAPA* and *Quinlan* does not render Applicants' claims obvious.

As discussed above, the Examiner does not assert that *Quinlan* teaches a service partition. The Examiner does not assert that *Quinlan* teaches reporting an error to a system administrator of a service partition. The Examiner merely asserts that a system administrator must exist. Therefore, because the Examiner does not assert that the combination of *AAPA* and *Quinlan* teaches reporting an absence to a system administrator of a service partition, the combination does not render Applicants' claims obvious.

In addition, *Quinlan* does not cure the deficiencies of *AAPA*, however, because *Quinlan* does not teach (1) a service partition, (2) utilizing a service partition to report any type of information, (3) utilizing a service partition to report an absence of a service application, or (4) utilizing a service partition to report

an absence of a service application to a system administrator of the service partition. Therefore, the combination of *AAPA* and *Quinlan* does not render Applicants' claims obvious.

Therefore, the rejection of claims 1-27 under 35 U.S.C. § 103(a) has been overcome.

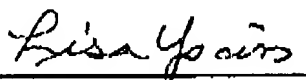
III. Conclusion

It is respectfully urged that the subject application is patentable over Applicants' Admitted Prior Art and *Quinlan* and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 04-26-06

Respectfully submitted,



Lisa L. B. Yociss
Reg. No. 36,975
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicants